

RESOLUTION NO. 2024-19

AUTHORIZING AN INCREASE TO CONTRACT NO. 2022-054 WITH DELTA RAILROAD CONSTRUCTION, INC. FOR PROJECT 52X – LIGHT RAIL TRACK REHABILITATION REPLACEMENT OF THE EAST 75TH STREET INTERLOCKING IN THE AMOUNT OF \$141,968.60 FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$3,789,476.44 AND REINSTATING THE GENERAL MANAGER, CHIEF EXECUTIVE OFFICER'S CHANGE ORDER SIGNING AUTHORITY IN ITS ENTIRETY (RTA DEVELOPMENT FUND, ENGINEERING & PROJECT DEVELOPMENT DEPARTMENT BUDGET)

WHEREAS, the Greater Cleveland Regional Transit Authority ("Authority") deemed it necessary to procure construction services, as specified, under Project 52X – Light Rail Track Rehabilitation Replacement of the East 75th Street Interlocking; and

WHEREAS, by Resolution No. 2022-64, the Board of Trustees authorized Contract No. 2022-054 in the amount of \$3,494,819.00 with Delta Railroad Construction, Inc., located at 2648 West Prospect Road, Ashtabula, Ohio 44004, for the furnishing of said construction services; and

WHEREAS, the General Manager, Chief Executive Officer has authorized change orders with a net additional contract value of \$152,688.84, utilizing the change order signing authority prescribed in the Authority's Procurement Policies and Procedures Manual, for a current total contract amount of \$3,647,507.84; and

WHEREAS, the Authority now requires additional construction services to complete Project 52X – Light Rail Track Rehabilitation Replacement of the East 75th Street Interlocking; and

WHEREAS, Delta Railroad Construction, Inc. has offered to provide these additional construction services at a total negotiated cost of \$141,968.60, resulting in a new total contract amount not to exceed \$3,789,476.44; and

WHEREAS, said increase will exceed the General Manager, Chief Executive Officer's change order signing authority; and

WHEREAS, the General Manager, Chief Executive Officer is seeking Board authority to reinstate her change order signing authority in its entirety; and

WHEREAS, the General Manager, Chief Executive Officer deems acceptance of the offer of Delta Railroad Construction, Inc., as negotiated, to be in the best interest of the Authority and recommends acceptance thereof.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Greater Cleveland Regional Transit Authority, Cuyahoga County, Ohio:

Section 1. That the negotiated offer of Delta Railroad Construction, Inc. to provide additional construction services under Project 52X – Light Rail Track Rehabilitation Replacement of the East 75th Street Interlocking, be and the same is hereby accepted.

Section 2. That the General Manager, Chief Executive Officer of the Authority be and she is hereby authorized to amend Contract No. 2022-054 with Delta Railroad Construction, Inc. to include these additional construction services.

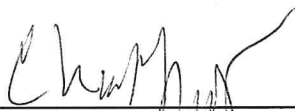
Section 3. This change order shall be payable from the RTA Development Fund, Engineering & Project Development Department budget, including but not limited to FTA Capital Grant OH-2023-042-307, in an amount not to exceed \$141,968.60 (\$113,574.88 in federal funds, which represents 80% of the total cost), resulting in a new total contract amount not to exceed \$3,789,476.44.

Section 4. That the General Manager, Chief Executive Officer's change order signing authority be reinstated in its entirety.

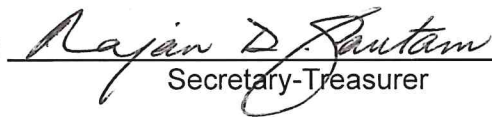
Section 5. That all other terms and conditions of said contract shall remain unchanged.

Section 6. That this resolution shall become effective immediately upon its adoption.

Adopted: March 19, 2024



President

Attest: 

Secretary-Treasurer



TITLE, DESCRIPTION: CONTRACT: INCREASE TO CONTRACT NO. 2022-054 FOR PROJECT 52X LIGHT RAIL TRACK REHABILITATION REPLACEMENT OF THE EAST 75 TH STREET INTERLOCKING VENDOR: DELTA RAILROAD CONSTRUCTION, INC. AMOUNT: NOT TO EXCEED \$141,968.60 AND REINSTATEMENT OF GENERAL MANAGER, CHIEF EXECUTIVE OFFICER'S CHANGE ORDER SIGNING AUTHORITY	Resolution No.: 2024-19
	Date: March 14, 2024
	Initiator: Engineering & Project Development Department
ACTION REQUEST: <input checked="" type="checkbox"/> Approval <input type="checkbox"/> Review, Comment <input type="checkbox"/> Information Only <input type="checkbox"/> Other _____	

1.0 **PURPOSE, SCOPE:** This action will allow the Greater Cleveland Regional Transit Authority ("Authority") to increase Contract No. 2022-054, Project 52X – Light Rail Track Rehabilitation Replacement of the East 75th Street Interlocking and to reinstate the General Manager, Chief Executive Officer's change order signing authority.

2.0 **DESCRIPTION, JUSTIFICATION:** The East 75th Street Interlocking project replaced the existing M-3 switch machines with Alstom 5E switch machines. The terminal board on the existing M-3 switch machines was on the opposite side of the switch point. The junction box should be located on the terminal end of the switch machine. The drawings did not clearly demonstrate installation of the junction box at the terminal end of the switch machines, and the junction boxes were installed on the wrong side of the switch machines. The Power & Way department requires the junction boxes for the six Alstom 5E switch machines be installed on the terminal board side of the machine.

3.0 **PROCUREMENT BACKGROUND:** On July 26, 2022, the Board of Trustees, by Resolution No. 2022-64, authorized a contract with Delta Railroad Construction, Inc. to perform construction services for the Light Rail Track Rehabilitation Replacement of the East 75th Street Interlocking in an amount not to exceed \$3,494,819.00. Change orders to date have included additions in the amount of \$152,688.84, resulting in a current contract amount of \$3,647,507.84.

The work required of the contractor to re-install the switch machines will increase the cost of the contract with Delta Railroad Construction, Inc. in an amount not to exceed \$141,968.60, resulting in a new contract total amount of \$3,789,476.44. This change order will cause the total change order amount to exceed the General Manager, Chief Executive Officer's change order signing authority limit. This action also seeks reinstatement of the General Manager, Chief Executive Officer's change order signing authority. A Change Order Log is attached as reference.

This change has been reviewed and recommended by the Change Order Committee.

4.0 **AFFIRMATIVE ACTION/DBE BACKGROUND:** All Affirmative Action requirements have been met. A 10% DBE goal was established for this procurement in July 2022. Delta Railroad Construction has agreed to maintain the established DBE participation goal using its existing DBE firm.

5.0 **POLICY IMPACT:** Does not apply.

- 6.0 ECONOMIC IMPACT: This change order shall be payable from the RTA Development Fund, Engineering & Project Development Department budget, including but not limited to FTA Capital Grant OH-2023-042-307, in an amount not to exceed \$141,968.60 (\$113,574.88 in federal funds, which represents 80% of the total cost), resulting in a new contract total amount not to exceed \$3,789,476.44.
- 7.0 ALTERNATIVES: Reject this change order. Rejection of this change order would create a condition where the switch machines are not functioning properly.
- 8.0 RECOMMENDATION: It is recommended that this change order be accepted and the resolution adopted authorizing the General Manager, Chief Executive Officer to modify the contract.
- 9.0 ATTACHMENTS: Change Order Log.

Recommended and certified as appropriate to the availability of funds, legal form and conformance with the Procurement requirements.


General Manager, Chief Executive Officer

**APPROVED CHANGE ORDERS
LIGHT RAIL TRACK REHABILITATION REPLACEMENT OF THE EAST 75TH STREET
INTERLOCKING**

Contract # 2022-054

Contractor: Delta Railroad Construction, Inc.

Original Contract Amount: \$3,494,819.00

Total GM CO Authority Remaining: \$97,311.16

Total Change Order Amount to Date: \$152,688.84

%Change to Date: 4.2%

CO No.	CO Description	Approval Date	CO Amount	Contract Value
1	Signal Trench Modifications	3/13/2023	\$5,786.64	\$3,500,605.64
2	Replacement of Signal Junction Box at E. 75 th Street Bridge	8/8/2023	\$74,462.00	\$3,575,067.64
3	Additional Flagging	8/8/2023	\$5,420.80	\$3,580,488.44
4	Installation of Rail and Ties near Lorain Carnegie Bridge (Emergency Repair)	9/14/2023	\$67,019.40	\$3,647,507.84
5	No Cost Time Extension	12/6/2023	\$0.00	\$3,647,507.84
6	No Cost Time Extension	1/24/2024	\$0.00	\$3,647,507.84